

**In the United States District Court  
For the Southern District of Georgia  
Waycross Division**

DARREYL TUTT,

Plaintiff,

v.

WARDEN TOM GRAMIAK, et al.,

Defendants.

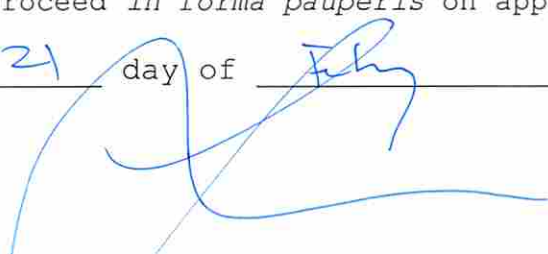
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CIVIL ACTION NO.: 5:16-cv-97

**ORDER**

After an independent and *de novo* review of the entire record, the undersigned concurs with the Magistrate Judge's Report and Recommendation, dkt. no. 7, to which Plaintiff failed to file Objections. Accordingly, the Court **ADOPTS** the Magistrate Judge's Report and Recommendation as the opinion of the Court. The Court **DISMISSES without prejudice** Plaintiff's Complaint based on Plaintiff's failure to truthfully disclose his litigation history and abuse of judicial process. The Court also **DIRECTS** the Clerk of Court to **CLOSE** this case and enter the appropriate judgment of dismissal. The Court **DENIES** Plaintiff leave to proceed *in forma pauperis* on appeal.

SO ORDERED, this 21 day of Feb, 2017.

  
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LISA GODBEY WOOD, CHIEF JUDGE  
UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF GEORGIA